

106TH CONGRESS  
1ST SESSION

# S. 860

To require country of origin labeling of perishable agricultural commodities imported into the United States and to establish penalties for violations of the labeling requirements.

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## IN THE SENATE OF THE UNITED STATES

APRIL 22, 1999

Mr. GRAHAM (for himself, Mr. MACK, Mr. HOLLINGS, and Mr. LEVIN) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To require country of origin labeling of perishable agricultural commodities imported into the United States and to establish penalties for violations of the labeling requirements.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Imported Produce La-  
5       beling Act of 1999”.

1 **SEC. 2. INDICATION OF COUNTRY OF ORIGIN OF IMPORTED**  
2 **PERISHABLE AGRICULTURAL COMMODITIES.**

3 (a) DEFINITIONS.—In this section, the terms “per-  
4 ishable agricultural commodity” and “retailer” have the  
5 meanings given the terms in section 1(b) of the Perishable  
6 Agricultural Commodities Act, 1930 (7 U.S.C. 499a(b)).

7 (b) NOTICE OF COUNTRY OF ORIGIN REQUIRED.—  
8 A retailer of a perishable agricultural commodity imported  
9 into the United States shall inform consumers, at the final  
10 point of sale of the perishable agricultural commodity to  
11 consumers, of the country of origin of the perishable agri-  
12 cultural commodity.

13 (c) METHOD OF NOTIFICATION.—

14 (1) IN GENERAL.—The information required by  
15 subsection (b) may be provided to consumers by  
16 means of a label, stamp, mark, placard, or other  
17 clear and visible sign on the imported perishable ag-  
18 ricultural commodity or on the package, display,  
19 holding unit, or bin containing the commodity at the  
20 final point of sale to consumers.

21 (2) LABELED COMMODITIES.—If the imported  
22 perishable agricultural commodity is already individ-  
23 ually labeled regarding country of origin by the  
24 packer, importer, or another person, the retailer  
25 shall not be required to provide any additional infor-  
26 mation to comply with this section.

1       (d) VIOLATIONS.—If a retailer fails to indicate the  
2 country of origin of an imported perishable agricultural  
3 commodity as required by subsection (b), the Secretary of  
4 Agriculture may impose a monetary penalty on the retailer  
5 in an amount not to exceed—

6           (1) \$1,000 for the first day on which the viola-  
7 tion occurs; and

8           (2) \$250 for each day on which the same viola-  
9 tion continues.

10       (e) DEPOSIT OF FUNDS.—Amounts collected under  
11 subsection (d) shall be deposited in the Treasury of the  
12 United States as miscellaneous receipts.

13       (f) APPLICATION OF SECTION.—This section shall  
14 apply with respect to a perishable agricultural commodity  
15 imported into the United States after the end of the 6-  
16 month period beginning on the date of the enactment of  
17 this section.

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